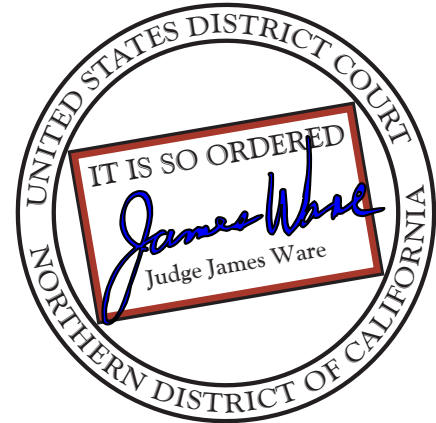


[List of Counsel Appears Below]



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, a California corporation,

Plaintiff,

v.

MICRO THERAPEUTICS, INC., a Delaware
corporation, DENDRON GmbH, a German
corporation, and ev3 Inc., a Delaware corporation,

Defendants and Counterclaim
And Third Party Plaintiffs,

v.

BOSTON SCIENTIFIC CORPORATION, a
Delaware corporation, and TARGET
THERAPEUTICS, INC., a Delaware corporation,

Third Party Defendants.

Case No.: C 03 05669 (JW) (RS)

STIPULATION AND [PROPOSED]
ORDER

It is hereby stipulated and agreed by and between Plaintiff and Counterclaim defendant The Regents of the University of California ("The Regents") and Defendants, Counterclaim Plaintiffs, and Third Party Plaintiffs Micro Therapeutics, Inc., ev3 Inc., and Dendron GmbH (collectively "MTI"), through their respective counsel of record as follows:

In an Order dated August 9, 2007, Magistrate Judge Seeborg granted The Regents' motion seeking discovery of MTI's attorney billing records in this litigation. *See* Order Granting Motion To Compel, Dkt. No. 841, Aug. 9, 2007 ("Order"). The Order gives MTI until August

29, 2007, to produce the billing records. On August 22, 2007, pursuant to Fed. R. Civ. P. 72(a) and Civil Local Rule 72-2, MTI objected to Magistrate Seeborg's Order. *See* Objection to Magistrate Judge's Order Granting Plaintiff's Motion to Compel and Request for Stay ("MTI's Objection"), filed concurrently herewith. MTI and The Regents have agreed and stipulated that MTI need not comply with the Order until the earlier of (a) a ruling from this Court on MTI's Objection, or (b) MTI's Objection is deemed denied by operation of Civil Local Rule 72-2 ("If no order denying the motion or setting a briefing schedule is made within 15 days of filing the objection, the objection shall be deemed denied. The Clerk shall notify parties when an objection has been deemed denied."). Within five days after MTI's objection is ruled on or otherwise denied by operation of Civil Local Rule 72-2, MTI will begin a rolling production of billing records, to be completed no later than 20 days from the date of any order or denial under Rule 72-2.

IT IS SO STIPULATED.

DATED: August 22, 2007

By: /s/ Michelle M. Umberger
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Attorneys for Defendants/Counterclaimants and Third
 Party Plaintiffs MICRO THERAPEUTICS, INC.,
 DENDRON GmbH and ev3 INC.

DATED: August 22, 2007

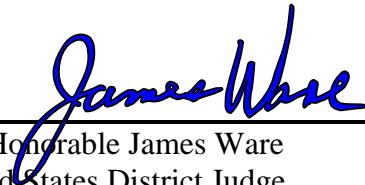
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Attorneys for Plaintiff/Counter-defendant
 THE REGENTS OF THE UNIVERSITY OF
 CALIFORNIA

ORDER

Pursuant to the stipulation, it is so ordered.

Dated: August 22, 2007



The Honorable James Ware
United States District Judge